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0064.0001US1

Declaration and Power of Attorney for Patent Application

專利申請聲明及委託書

Chinese Language Declaration

中文聲明

作為下述發明者，我在此宣告：

As a below named inventor, I hereby declare that:

我的住址、郵局地址和國籍均列在我名下，

My residence, post office address and citizenship are as stated next to my name.

我相信我是首創的、第一個和唯一的發明者(如只列出一人姓名)或是首創的、首位共同發明者(如列出數人姓名)。我提出作為專利申請權利要求的題目如下

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

基于波分复用层的光通道保护装置及方法

WDM Layer-Based OCHP Device and Method Thereof

如不在下面小方格中打叉則須將說明書附此：

the specification of which is attached hereto unless the following box is checked:

☒ 以美國申請號碼或PCT國際申請號碼 PCT/CN03/00407  
立案于 2003年5月29日  
修正于(如適用)

☒ was filed on May 29, 2003  
as United States Application Number or PCT  
International Application Number  
PCT/CN03/00407 and was amended on  
(if applicable).

我在此聲明我已閱畢并理解上述說明書的內容，包括上述任何修正案所修正的權利要求。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

按照聯邦法規第三十七節第一、五六條，我有責任提供支持專利權的實質性資料。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

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### Chinese Language Declaration

我申請享受按照美國法規第三十五節第一百一十九條(a)-(d)項或第365條(b)項列出的以下任何外國專利申請書或發明者證書或第365條(a)項列出任何PCT國際申請指定至少在美國以外的任何一個國家的外國優先權，並確認下列方格內打記號，具有優先權申請前立案日期的、任何外國專利申請書或發明者證書或是PCT國際申請書。

#### 國外優先申請書

02125068.5

(號碼)  
(Number)

China

(國名)  
(Country)

(號碼)  
(Number)

(國名)  
(Country)

(號碼)  
(Number)

(國名)  
(Country)

我申請享受被美國法規第35節119(e)列出的以下任何美國臨時申請書的利益。

(申請順序號碼)  
(Application No.)

(申請日期)  
(Filing Date)

我申請享受按照美國法規第三十五節一百二十條或365條(c)項列出任何PCT國際申請所指定的美國列出的以下任何美國申請書的利益，如果此申請書中提出的每項權利要求的題目未按美國法規或是PCT國際申請第三十五節一百二十條第一段的要求在以前的美國申請書中披露，則我有責任按照聯邦法規第三十七節第一·五六(甲)條提供支持專利權的實質性資料，這一法規條文生效于以前申請的立案日期之後，但在美國或PCT國際申請立案日期之前。

(申請順序號碼)  
(Application No.)

(申請日期)  
(Filing Date)

(申請順序號碼)  
(Application No.)

(申請日期)  
(Filing Date)

我在此聲明根據我所知而作的所有聲明都真實無誤，所有有關資料和信息的聲明也真實無誤；我還知道，按照美國法規第十八節第一千零一項，任何蓄意偽造的聲明都將受到罰款或監禁，或同時受到兩種懲罰。這類蓄意偽造的聲明將危及此申請書或任何已頒發專利的效力。

I hereby claim foreign priority under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

不要求優先權  
Priority Not Claimed

01/07/2002

(申請日/月/年)  
(Day/Month/Year Filed)

(申請日/月/年)  
(Day/Month/Year Filed)

(申請日/月/年)  
(Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

(申請順序號碼)  
(Application No.)

(申請日期)  
(Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(狀況) (Status) (patented, pending, abandoned)  
(已獲專利權、申請中、取消)

(狀況) (Status) (patented, pending, abandoned)  
(已獲專利權、申請中、取消)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

### Chinese Language Declaration

#### 委託書：

以列名發明者的身份，我在此指定下列律師和/或代理人執行此申請並從事與專利商標公署有關的所有業務（列出姓名和註冊號碼）：

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: (list name and registration number)

Customer No. 029127

Send Correspondence to:

J. Grant Houston; Reg. No. 35,900; Tel. 781-863-9991

Direct Telephone Calls to: (name and telephone number)

通訊地址

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(第三個和其他共同發明者需提供同樣資料和簽字。)

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0064.0001US1

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第二個發明者簽字 <u>刘延明</u> 日期 <u>2004.12.23</u>	Fourth inventor's signature <u>Yanming Liu</u> Date <u>2004.12.23</u>
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